

(c) A reference in law to the Texas Council on Purchasing from People with Disabilities means the Texas Workforce Commission.

(d) Any action or proceeding before the Texas Council on Purchasing from People with Disabilities is transferred without change in status to the Texas Workforce Commission and the Texas Workforce Commission assumes, without a change in status, the position of the Texas Council on Purchasing from People with Disabilities in any action or proceeding to which the Texas Council on Purchasing from People with Disabilities is a party.

(e) All money, contracts, leases, rights, bonds, and obligations of the Texas Council on Purchasing from People with Disabilities are transferred to the Texas Workforce Commission.

(f) All personal property, including records, in the custody of the Texas Council on Purchasing from People with Disabilities becomes the property of the Texas Workforce Commission.

(g) All funds appropriated by the legislature to the Texas Council on Purchasing from People with Disabilities are transferred to the Texas Workforce Commission.

SECTION 30. The terms of the current members of the advisory committee amended by this Act expire on the effective date of this Act. On that date or as soon as possible after that date, the Texas Workforce Commission shall appoint new members to the advisory committee in accordance with the requirements of Section 122.0057, Human Resources Code, as amended by this Act. The Texas Workforce Commission shall designate the six members of the committee whose terms expire on February 1, 2017, and the seven members of the committee whose terms expire on February 1, 2019.

SECTION 31. This Act takes effect September 1, 2015.

Passed the Senate on April 15, 2015: Yeas 31, Nays 0; the Senate concurred in House amendments on May 26, 2015: Yeas 31, Nays 0; passed the House, with amendments, on May 20, 2015: Yeas 142, Nays 0, one present not voting.

Filed without signature June 17, 2015.

Effective September 1, 2015.

**AUTHORITY OF CERTAIN MUNICIPALITIES TO PROVIDE
SEWER SERVICE TO AREAS WITHIN THE MUNICIPAL
BOUNDARIES WITHOUT OBTAINING A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

CHAPTER 673

S.B. No. 789

AN ACT

relating to the authority of certain municipalities to provide sewer service to areas within the municipal boundaries without obtaining a certificate of public convenience and necessity.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 13.247(a), Water Code, is amended to read as follows:

(a) If an area is within the boundaries of a municipality, all retail public utilities certified or entitled to certification under this chapter to provide service or operate facilities in that area may continue and extend service in its area of public convenience and necessity within the area pursuant to the rights granted by its certificate and this chapter, unless the municipality exercises its power of eminent domain to acquire the property of the retail public utility under Subsection (d). Except as provided by Section 13.2475 or 13.255, a municipally owned or operated utility may not provide retail water and sewer

utility service within the area certificated to another retail public utility without first having obtained from the utility commission a certificate of public convenience and necessity that includes the areas to be served.

SECTION 2. Subchapter G, Chapter 13, Water Code, is amended by adding Section 13.2475 to read as follows:

Sec. 13.2475. CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE SEWER SERVICE IN CERTAIN MUNICIPALITIES. (a) This section applies only to a municipality:

- (1) with a population of more than 95,000;*
- (2) located in a county that:*
 - (A) borders Lake Palestine; and*
 - (B) has a population of more than 200,000;*
- (3) that owns and operates a utility that provides sewer service; and*
- (4) that has an area within the boundaries of the municipality that is certificated to another retail public utility that provides sewer service.*

(b) A municipality may provide sewer service to an area entirely within the municipality's boundaries without first having to obtain from the utility commission a certificate of public convenience and necessity that includes the area to be served, regardless of whether the area to be served is certificated to another retail public utility.

(c) Not less than 30 days before the municipality begins providing sewer service to an area certificated to another retail public utility, the municipality shall provide notice to the retail public utility and the utility commission of its intention to provide service to the area.

(d) On receipt of the notice required by Subsection (c), a retail public utility may:

- (1) petition the utility commission to decertify its certificate for the area to be served by the municipality; or*
- (2) discontinue service to the area to be served by the municipality, provided that there is no interruption of service to any customer.*

(e) This section may not be construed to limit the right of a retail public utility to provide service in an area certificated to the retail public utility.

(f) This section does not expand a municipality's power of eminent domain under Chapter 21, Property Code.

SECTION 3. As soon as practicable after the effective date of this Act, the Public Utility Commission of Texas shall adopt rules and establish procedures relating to the notice required under Section 13.2475, Water Code, as added by this Act.

SECTION 4. This Act takes effect September 1, 2015.

Passed the Senate on April 30, 2015: Yeas 30, Nays 1; the Senate concurred in House amendment on May 26, 2015: Yeas 31, Nays 0; passed the House, with amendment, on May 21, 2015: Yeas 133, Nays 10, two present not voting.

Filed without signature June 17, 2015.

Effective September 1, 2015.